

Abstract

The principle of equal pay for men and women workers for equal work in professional sport

This thesis is based on the hypothesis that given the available data on the different rewards of professional athletes and the fact that these rewards are not regulated or monitored in any way, it is likely that there is discrimination in pay in the field of professional sport. The aim of this thesis is therefore to assess whether this hypothesis is correct and whether any rules of remuneration in sport are in fact discriminatory in the context of European law.

In order to verify the hypothesis, the thesis first deals with the legal regulation of the principle of equal pay and the question of the application of EU law to sports activities. In that context, it also deals with the question of the legal position of professional athletes as workers and service providers and examines whether the principle of equal pay is applicable to the nature of their sport activity as an exercise of work.

Based on available studies, the thesis outlines the situation of remuneration across various sports and with the help of selected examples of sports such as football, basketball and tennis, also points out the causes of different rewards and other aspects of the issue, such as the lack of women in leadership positions, the lack of media coverage of women's sport and the lack of transparent pay rules. To give a full picture of the situation, examples of equally rewarded sports are also given, which can serve as a counterpart to different rewards and their causes. Examples of sports with different remuneration and their causes are then assessed in the context of the case-law of the Court of Justice, which finally confirms the hypothesis, i.e. the pay rules in these cases are found (partly) discriminatory.

In conclusion, possible solutions are proposed for each of the individual stakeholders, i.e. athletes, sports federations, Member States and EU institutions, which could help to eliminate or at least reduce the pay gap between athletes and sportswomen.

Key words: The principle of equal pay, European Sports law, The legal status of professional athletes